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4 UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA
(The Hon. Barry Ted Moskowitz/The Hon. Anthony Battaglia)

5 UNITED STATES OF AMERICA,

6 Plaintiff-Respondent,

7
8 v.

9
10 defendant named in Complaint as
11 JOSE LUIS OLIVARES,

12 Defendant-Petitioner.
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) STATUS RE:
) Case Number 07cv2234BTM/AJB
)
) PETITION FOR WRIT OF HABEAS
) CORPUS
) AND MOTION TO DISMISS ORDER TO
) SHOW CAUSE IN COMPLAINT
) NUMBER
) 07MJ2274 AND REQUEST FOR
) HEARING
)
) (hearing scheduled for January 25,
) 2008)
)
)

14 TO: Karen Hewitt, United States Attorney;
Caleb Mason, Assistant United States Attorney
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16 The above-mentioned defendant-petitioner, by and through his counsel, Kerry
Bader, hereby informs the Court and government counsel that the above-named
17 petitioner is currently in the custody of the Bureau of Prisons or the Marshal's
18 Service. According to Renee Manes, of the Federal Defender's office in Portland,
19 Oregon who represents the petitioner, Judge King of the United States District Court
20 for the District of Oregon formally adjudicated the underlying Order to Show Cause
21 Proceedings, in case number 03cr57KI. That case is what prompted the habeas
22 proceedings in this Court.

23 As attorney for the petitioner in this matter, I believe the Court should be aware
24 that Judge King assumed jurisdiction of the revocation proceedings (the
25 Constitutionality of which was being contested in this matter). The petitioner's
26 attorney assigned to the case in Oregon (Ms. Manes) was aware of the habeas
27 proceedings in this Court before the revocation proceedings took place.
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1 According to Ms. Manes, the Honorable Judge King found petitioner in
2 violation of his Supervised Release and sentenced him to seven months in custody.
3 The revocation proceedings took place in Oregon (on or about January 11, 2008).
4 The current whereabouts of the petitioner is unknown as the Bureau of Prisons web-
5 site inmate "locator" indicates he is "in transit."

6 Thus the jurisdictional status of this matter is unclear at this point.

7 Respectfully submitted,

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9 Joan Kerry Bader

10 Attorney for Petitioner

11 January 17, 2008
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